

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO

IN RE:

FLEXIBLE PACKAGING CO INC

CASE NO. 09-02335 ESL [*Lead case*]

FLEPAK INVESTMENT INC

CASE NO. 09-0227

FLEXPAK SHARES SERVICES DIV INC

CASE NO. 09-02338

D.I.P.

CHAPTER 11

MOTION FOR AUTHORIZATION TO WITHDRAW FROM LEGAL REPRESENTATION  
OF THE CREDITORS COMMITTEE

TO THE HONORABLE COURT:

The Special Counsel for the duly appointed CREDITORS COMMITTEE in the above-style case respectfully STATES and PRAYS:

1. On June 17, 2009, the United States Trustee for Region 21, pursuant to § 1102 of the *Bankruptcy Code*, appointed the Committee to represent the interests of all unsecured creditors in these Chapter 11 Cases. The Committee is comprised of the following members:
  - a. Smurfit Stone Puerto Rico Inc.
  - b. Tech Aerofoam Products
  - c. Canusa Corporation
2. Thereafter, at a scheduled meeting of the Committee held on August 17, 2009, the Committee voted to retain the law offices of L.A. Morales & Associates, P.S.C. in that of Lyssette Morales Vidal, Esq as its counsel.
3. Accordingly, this Court approved and named the undersigned as Special Counsel to the Committee pursuant to §§ 328 and 1103 of the *Bankruptcy Code* and *Bankruptcy Rule 2014*, authorizing the Committee to retain L.A. Morales & Associates, P.S.C. as its counsel, effective as of October 5<sup>th</sup>, 2009 at d.e. #126 dated November 1, 2009.
4. We have recently become aware that we may have a potential conflict of interest and the undersigned understands she should withdraw from the representation of the Creditor's Committee for the best interest of this estate and the purity of the

potentially conflicting estates and proceedings and has informed the Committee that a potential conflict of interest has arisen and that we would seek the withdrawal from the Committee's representation immediately.

5. As such we respectfully seek authorization from this Court to withdraw from the representation of the Creditor's Committee and allow the Committee a reasonable time to retain new counsel.
6. We hereby waive any compensation from the Committee and/or this estate, although we do give notice that at this point in time in the bankruptcy proceedings very little time has been required of this attorney.

WHEREFORE, counsel for the duly appointed Creditor's Committee respectfully requests authorization for withdrawal from the representation of the Committee for the only purpose of avoiding any appearance of conflict of interest.

I HEREBY CERTIFY, that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF Filing System which will send a notification, upon information and belief, of such filing to the U.S.T. and to all subscribed users and especially to counsel for D.I.P., Mr. Wigberto Lugo Mender, Esq. and to the Creditor's Committee to each member individually at: Smurfit Stone Container Corp, Mr. Edwin Miranda, Comptroller, 47 Amelia Street, Guaynabo, Puerto Rico 00968-8009 at [emiranda@smurfit.com](mailto:emiranda@smurfit.com); Tech Aerofoam Products, Ms. Brenda L Roldan, PO Box 364787, San Juan, Puerto Rico 00936 at [brendar@techproductspr.net](mailto:brendar@techproductspr.net); Canusa Corporation, Mr. Michael Walter, Risk Manager, 1532 Thames Street, Baltimore, MD 21231 at [mikew@canusacorp.com](mailto:mikew@canusacorp.com)

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 24<sup>th</sup> day of February 2010

/s/ *L.A. Morales*

L.A. MORALES & ASSOCIATES P.S.C.

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